


TRANSMITTAL LETTER OF THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		Attorney Docket No. 3501-1006 U.S. Application No. 10/088116
INTERNATIONAL APPLN. NO. PCT/FI00/00781	INTERNATIONAL FILING DATE 15 September 2000	PRIORITY DATE CLAIMED 17 SEPTEMBER 1999
TITLE OF INVENTION: SWIMMING DEVICE		
APPLICANT(S) FOR DE/EO/US: TUOMO PETÄJÄ-SUVANTO		
Applicant herewith submits to the United States Designated Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau) b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. See attached PCT/IB/308. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made, however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS) w/PTO-1449 - <input checked="" type="checkbox"/> Copy of IDS citations 12. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 13. <input checked="" type="checkbox"/> A FIRST Preliminary Amendment. 14. <input type="checkbox"/> A SECOND or SUBSEQUENT Preliminary Amendment. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application (35 U.S.C. 154(d)(4)). 20. <input checked="" type="checkbox"/> Other items or information: <u>Abstract on a separate sheet, International Search Report (PCT/ISA/210), Application Data Sheet, International Preliminary Examination Report, form PCT/IB/308</u> 		

JC13 Rec'd PCT/PTO 15 MAR 2002

U.S. APPLICATION NO. 10/088116		INTERNATIONAL APPLN. NO. PCT/FI00/00781		ATTORNEY DOCKET NO. 3501-1006	
21. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS PTO USE ONLY	
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1)-(5):					
Neither international preliminary examination fee nor international search fee paid to USPTO and international Search Report not prepared by the EPO or JPO\$1040.00					
International preliminary examination fee not paid to USPTO but International Search Report prepared by the EPO or JPO\$890.00					
International preliminary examination fee not paid to USPTO but International search fee paid to USPTO\$740.00					
International preliminary examination fee paid to USPTO but all claims did not satisfy provision of PCT Article 33 (1)-(4).....\$710.00					
International preliminary examination fee paid to USPTO and all claims satisfied provision of PCT Article 33 (1)-(4).....\$100.00					
ENTER APPROPRIATE BASIC FEE AMOUNT				\$ 1040.00	
Surcharge of \$130.00 for furnishing the oath or declaration than <input type="checkbox"/> 20- <input checked="" type="checkbox"/> 30 Months from the earliest claimed priority date (37 CFR 1.492(e))				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	13 - 20 =	0	X \$18.00	\$	
Independent Claims	2 - 3 =	0	X \$84.00	\$	
MULTIPLE DEPEND CLAIM(S) (if applicable)			+ \$280.00	\$	
TOTAL OF ABOVE CALCULATION -				\$ 1,170.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+ \$ 585.00	
SUBTOTAL =				\$ 585.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492Z(f)).				\$	
TOTAL NATIONAL FEE =				\$ 585.00	
Fee for recording the enclosed assigned (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) \$40.00 per property +				\$	
TOTAL FEES ENCLOSED -				\$ 585.00	
				Amount to be refunded:	\$
				Charged:	\$
<input checked="" type="checkbox"/> A Check in the amount of \$585.00 to cover all fees is attached. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to Deposit account No. 25-0120 in the name of Young & Thompson, as described below. A duplicate copy of this sheet is enclosed. <input checked="" type="checkbox"/> The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17.					
SEND ALL CORRESPONDENCE TO: 745 South 23 rd Street Arlington, VA 22202 Telephone (703) 521-2297 Y&T Customer No. 000466			SIGNATURE <u><i>Benoit Castel</i></u> Benoit Castel NAME 35,041 REGISTRATION NO.		
BC/lmt Date: 15 March 2002			 00466 PATENT TRADEMARK OFFICE		

PATENT
3501-1006

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of: Tuomo PETÄJÄ-SUVANTO

Appl. No.: **NEW NATIONAL PHASE
APPLICATION IN THE
UNITED STATES** Group:

Filed: March 15, 2002 Examiner:

For: SWIMMING DEVICE

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, DC 20231

March 15, 2002

Sir:

Prior to the first Official Action and calculation of the filing fee, the following preliminary amendments and remarks are respectfully submitted in connection with the above-identified application.

IN THE ABSTRACT OF THE DISCLOSURE:

Please insert the Abstract of the Disclosure attached on a separate sheet attached hereto.

IN THE CLAIMS:

Please cancel claims 1-10 without prejudice or disclaimer of the subject matter contained therein.

Please add the following claims:

--11. (new) A swimming device for testing a lure to be used in rod-fishing, characterized in that the swimming device comprises two substantially parallel pipe-like means, a flow pipe and testing pipe, which are arranged in a substantially horizontal position and connected together by connection means arranged preferably at both ends of the pipes, and there are stilling basins immediately next to the connection means, and that a control means maintaining the flow of a fluid led into the swimming device is arranged in one pipe-like means, for testing the lure lowered into the swimming device through a lure tower extending from the testing pipe and connected thereto, in a fluid flow generated in the testing pipe.--

--12. (new) A swimming device as claimed in claim 11, characterized in that the testing pipe is at least partly transparent.--

--13. (new) A swimming device as claimed in claim 11, characterized in that the control means is a propeller.--

--14. (new) A swimming device as claimed in claim 11, characterized in that the control means is arranged in the flow pipe.--

--15. (new) A swimming device as claimed in claim 11, characterized in that a discharge opening, connecting the lure tower and the testing pipe, is arranged in the flow direction of

the fluid to be at least partly separate from the flow port between the testing pipe and the flow pipe.--

--16. (new) A swimming device for testing a lure to be used in rod-fishing, characterized in that the swimming device comprises two substantially parallel pipe-like means, a flow pipe and testing pipe, which are arranged in a substantially horizontal position, the testing pipe being arranged to the side of the flow pipe, the pipes being connected together by connection means comprising flow ports in the casing of the flow pipe, the flow ports being arranged preferably at both ends of the pipes, while there are stilling basins immediately next to the connection means, as a control means is arranged to maintain the flow of a fluid led into the swimming device, for testing the lure lowered into the swimming device through a lure tower extending from the testing pipe and connected thereto, in a fluid flow generated in the testing pipe by the control means arranged in one pipe-like means.--

--17. (new) A swimming device as claimed in claim 16, characterized in that the flow pipe has control lamellas in the longitudinal direction of the device to prevent swirling in the fluid flow.--

--18. (new) A swimming device as claimed in claim 16, characterized in that the flow pipe is arranged to be longer than the testing pipe and to have stilling basins at both ends.--

--19. (new) A swimming device as claimed in claim 18, characterized in that at least the stilling basin on the side of the direction of fluid flow caused by the control means has protrusions to reduce the swirling movement of the fluid.--

--20. (new) A swimming device as claimed in claim 19, characterized in that the protrusions are concentric.--

--21. A swimming device as claimed in claim 16, characterized in that the testing pipe is at least partly transparent.--

--22. (new) A swimming device as claimed in claim 16, characterized in that the control means is a propeller.--

--23. (new) A swimming device as claimed in claim 16, characterized in that the control means is arranged in the flow pipe.--

REMARKS

Claims 1-10 have been cancelled and claims 11-23 have been added.

The above changes in the claims merely place this national phase application in substantially the same condition as it was during Chapter II of the international phase, with the multiple dependencies being removed. .

Docket No. 3501-1006

Entry of the above amendments is earnestly solicited.
An early and favorable first action on the merits is earnestly requested.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



Benoit Castel, Reg. No. 35,041

745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297

BC:lm
Attachments

ABSTRACT

The present invention relates to a swimming device for testing a lure (12) used in rod-fishing. This type of a device comprises two substantially parallel pipe-like means (1, 2) and arranged in a substantially horizontal position. The pipe-like means are preferably connected to each other by connection means (3, 4) arranged at both ends of the pipes, and there are stilling basins (9, 10) immediately next to the connection means. Further, a control means (6) maintaining the flow of the fluid (5) led in to the swimming device is arranged into one of the pipe-like means. In the operating position of the device, the upper pipe-like means, i.e. testing pipe, has a lure tower (13) connected to the pipe and protruding from it, and the lure (12) can be lowered into the swimming device for testing it in the fluid flow caused in the testing pipe.

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SWIMMING DEVICE**FIELD OF THE INVENTION**

The present invention relates to a swimming device according to the preamble of claim 1, for testing a lure used in rod-fishing and angling.

5 BACKGROUND OF THE INVENTION

Making one's own lures has long been a special sector in lure-fishing and angling. A great deal of literature exists on the matter and various lure-making models and methods have been widely presented.

10 In general, lures are made at home and during winter in particular when less fishing is done especially in the northern hemisphere. One special problem in lure-making is then testing the finished lure or one being made. Testing requires a water pool in which the lure can be trolled and its behaviour thus observed in its environment of use. During open waters, a near-by water system can naturally be used as the water pool. Alternatively, the lure can be
15 tested at home in the bath tub if available.

Using water systems or tubs or the like is, however, difficult because it is difficult to accurately observe the movements of the lure. When testing the results of lure-making in tubs or pools, the achieved swimming movement of the lure is usually too short for it to allow any accurate
20 conclusions on the functioning of the lure in actual fishing conditions.

BRIEF DESCRIPTION OF THE INVENTION

It is thus an object of the present invention to eliminate the current drawbacks in lure-testing and to provide a novel solution which simply, advantageously and quickly illustrates the functioning of a finished lure or one
25 being made in different flow conditions.

This object is achieved by a swimming device having the characteristics of the invention defined in the claims. To be more precise, the device of the invention is mainly characterized by what is stated in the characterizing part of claim 1.

30 In the present invention, a lure refers to spinners, spoons, plugs and jigs used in lure-fishing and to different flies used in fly-fishing.

The invention provides considerable advantages. It provides a device for testing a lure in the immediate vicinity of the place where it is made, whereby making lures becomes considerably simpler than before. This way, a

lure being made can be tested immediately after it is finished, and testing different structural solutions is also very easy while the work progresses. The device is easy to use, since it is small, structurally simple and reliable. By means of the invention, it is also easy to test different lures in different flow conditions and when necessary, special devices can be constructed to best suit the testing of flies, spinners, plugs or the like.

It is easy to observe the swimming movement of the lure in the swimming device of the invention, because the testing pipe is preferably made entirely transparent by manufacturing it from plexiglass, for instance. The swimming movement can also be observed in different flow conditions by changing the flow rate of the water simply by adjusting the power of a control device in a lower pipe-like means.

The swimming device of the invention does not require much space, since it can be placed in any kind of work room. Because the device is fully water-proof, it also does not require any special water-proofing properties of its operating environment.

BRIEF DESCRIPTION OF THE FIGURES

In the following, the invention will be examined in greater detail by means of the appended drawings, in which

Figure 1 shows a schematic side view of a preferred embodiment of the swimming device of the invention, especially intended for testing large lures,

Figure 2 shows a perspective view of a smaller swimming device of the invention, especially suited for testing flies,

Figure 3 shows the longitudinal profile of the swimming device of Figure 2, and

Figure 4 shows the cross-profile of the swimming device of Figure 2.

DETAILED DESCRIPTION OF THE INVENTION

The structure and operation of the swimming device of the invention can be quickly described with reference to Figure 1. The device comprises two pipe-like means which are preferably arranged on top of each other and in which water runs, i.e. in operating position, the device shows a lower flow pipe 1 and an upper testing pipe 2. These pipe-like means are usually arranged in a substantially horizontal position and they are, in the vertical direction,

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to the stilling basin 9 at the end of the flow pipe 1. From the stilling basin, water flows through the flow port 16 to the testing pipe 2 and the third stilling basin 22 between the lure tower and the end of the testing pipe. Water flows on at the rate defined by the control means through the testing pipe arranged
5 to narrow in the flow direction and discharges through the flow port 17 at the other end of the testing pipe to the second stilling basin 19 at the end of the flow pipe and on again to the control means. The lure 12 to be tested is attached to a line 14 and lowered from the lure tower 13 into the testing pipe where its swimming movement can be observed.

10 It is to be understood that the above description and the related figures are only intended to illustrate the present invention. The invention is thus not restricted to the above or to the embodiment specified in the claims, but it will be obvious to a person skilled in the art that many variations and modifications of the invention are possible within the scope of the inventive
15 idea specified in the appended claims.

10. A swimming device as claimed in any one of the preceding claims, **characterized** in that a discharge opening (21) connecting the lure tower (13) and the testing pipe (2) is arranged in the flow direction of the fluid (5) to be at least partly separate from the flow port (16) between the
- 5 testing pipe and the flow pipe (1).

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization
International Bureau



(43) International Publication Date
29 March 2001 (29.03.2001)

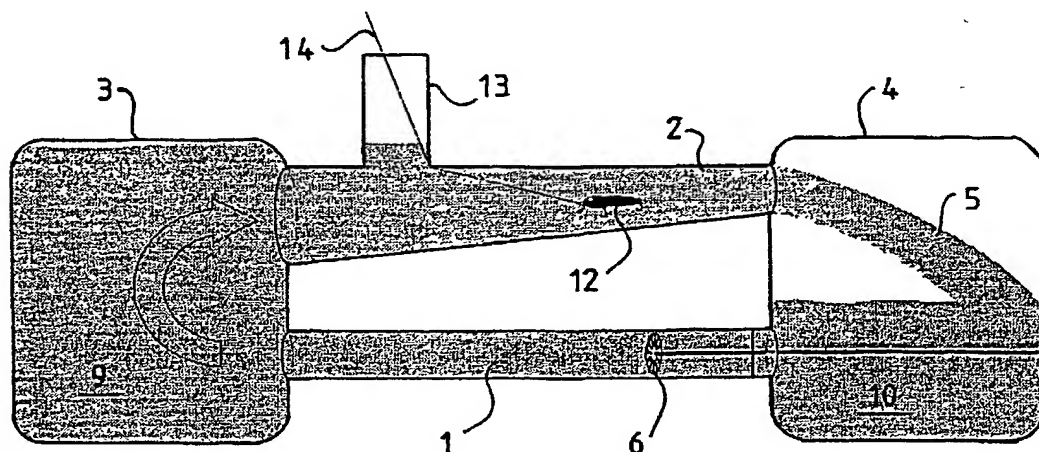
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U990396 17 September 1999 (17.09.1999) FI
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- (72) Inventor; and
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- (81) Designated States (national): AE, AG, AL, AM, AT, AT (utility model), AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CR, CU, CZ, CZ (utility model), DE, DE (utility model), DK, DK (utility model), DM, DZ, EE, EE (utility model), ES, FI, FI (utility model), GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KR (utility model), KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SK (utility model), SL, TJ, TM, TR, TT, TZ, UA, UG, US, UZ, VN, YU, ZA, ZW.
- (84) Designated States (regional): ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).
- Published:
— With international search report.

[Continued on next page]

(54) Title: SWIMMING DEVICE



(57) Abstract: The present invention relates to a swimming device for testing a lure (12) used in rod-fishing. This type of a device comprises two substantially parallel pipe-like means (1, 2) on top of each other and arranged in a substantially horizontal position. The pipe-like means are preferably connected to each other by connection means (3, 4) arranged at both ends of the pipes, and there are stilling basins (9, 10) immediately next to the connection means. Further, a control means (6) maintaining the flow of the fluid (5) led into the swimming device is arranged into one of the pipe-like means. In the operating position of the device, the upper pipe-like means, i.e. testing pipe, has a lure tower (13) connected to the pipe and protruding from it, and the lure (12) can be lowered into the swimming device for testing it in the fluid flow caused by the control means in the testing pipe.

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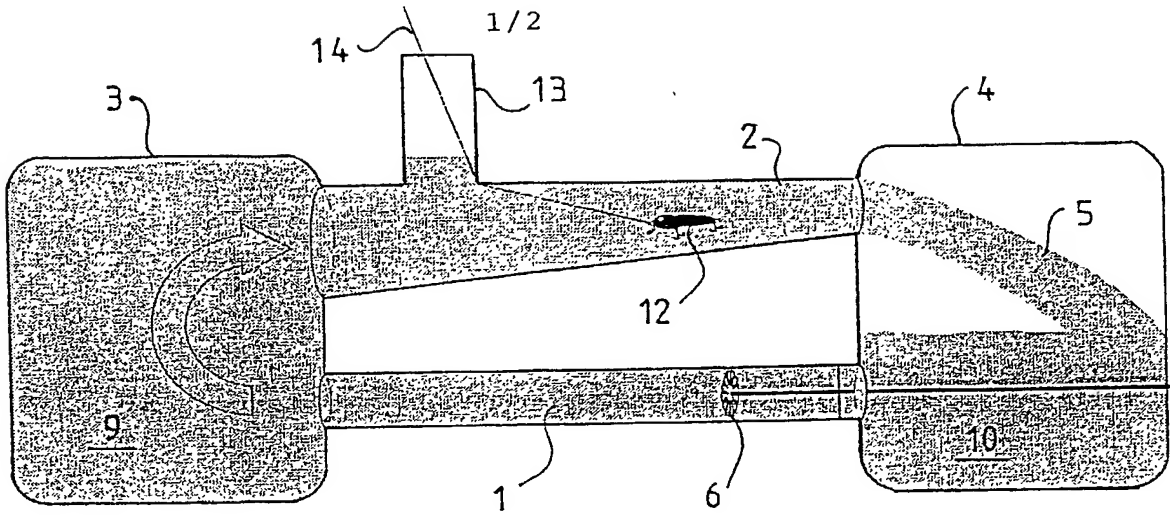


FIG. 1

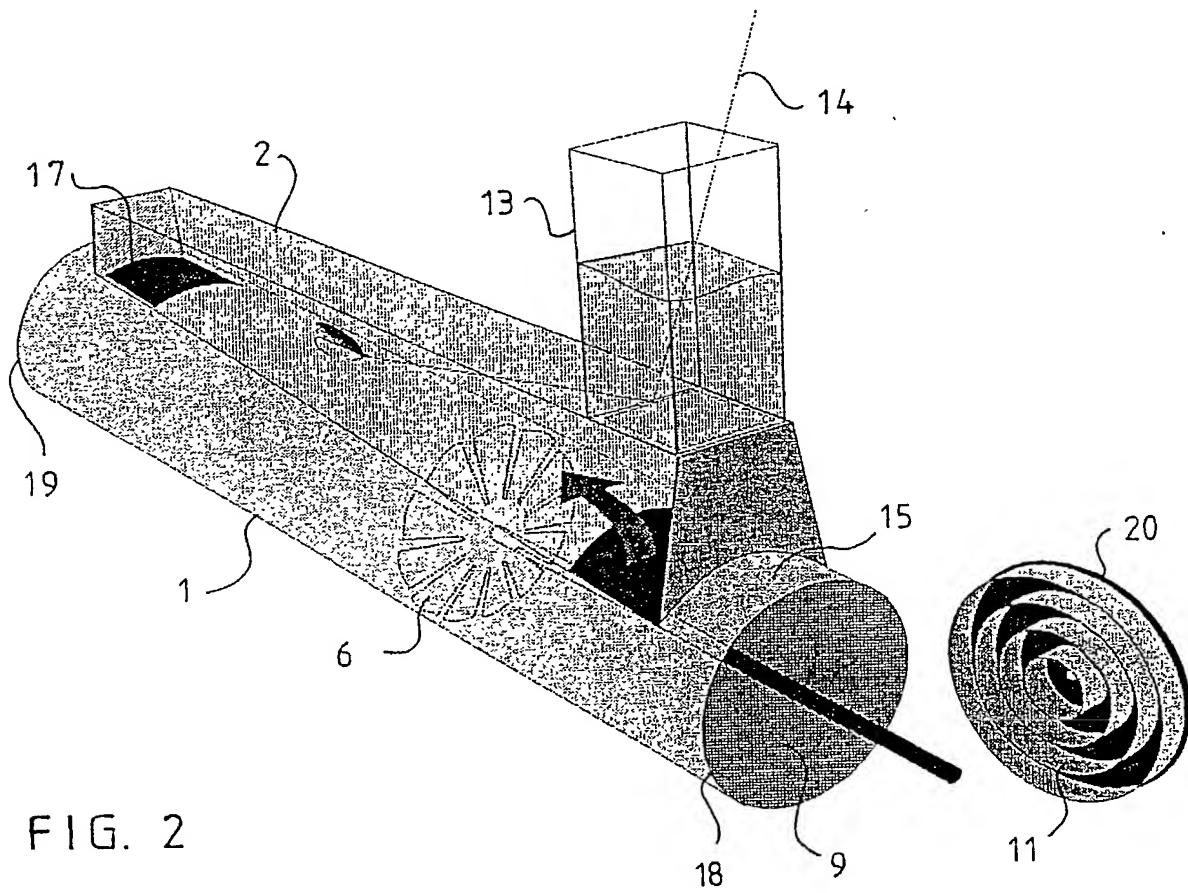


FIG. 2

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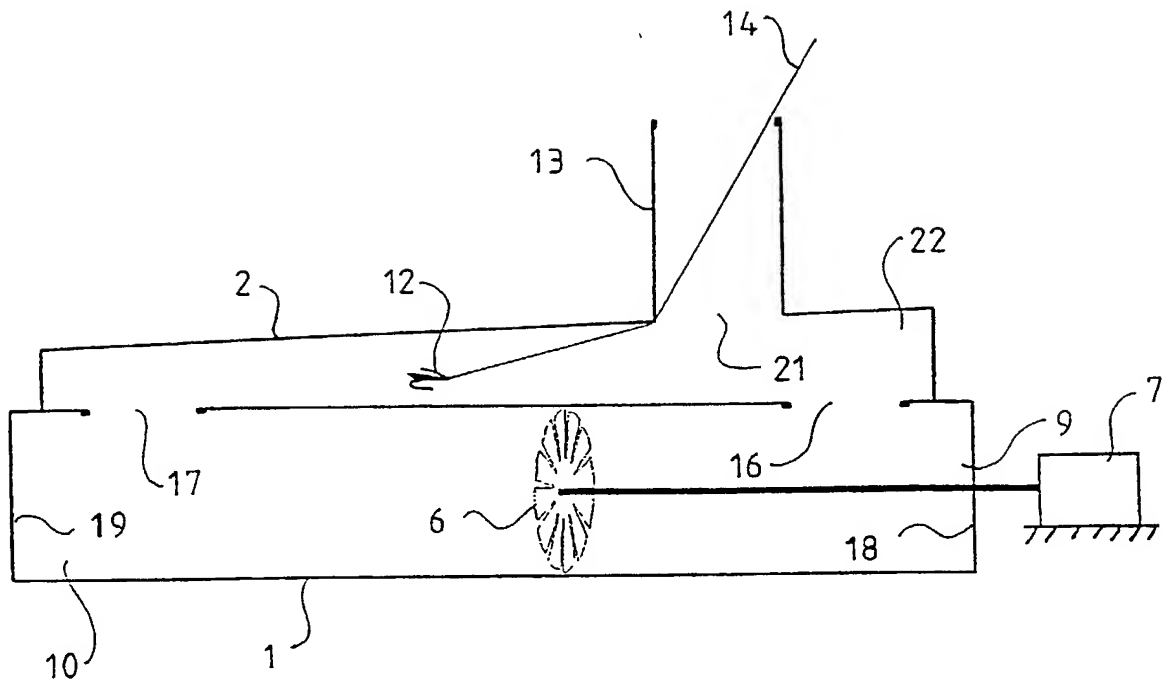


FIG. 3

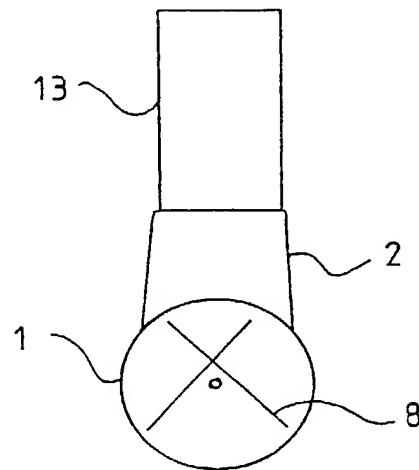


FIG. 4

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SWIMMING DEVICE

the specification of which: *(check one)*

REGULAR OR DESIGN APPLICATION

- ☐ is attached hereto.
- ☒ was filed on 15th March 2002 as application Serial No. 10/088,116 and was amended on (if applicable).

PCT FILED APPLICATION ENTERING NATIONAL STAGE

- ☒ was described and claimed in International application No. PCT/FI00/00781 filed on 15th September 2000 and as amended on (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, '1.56.

PRIORITY CLAIM

I hereby claim foreign priority benefits under 35 USC 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)

Country	Application Number	Date of Filing (day, month, year)	Priority Claimed
Finland	U990396	17 th September 1999	X

(Complete this part only if this is a continuing application.)

I hereby claim the benefit under 35 USC 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations '1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)

(Filing Date)

(Status--patented, pending, abandoned)

POWER OF ATTORNEY

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

As a named inventor, I hereby appoint the registered patent attorneys represented by Customer No. 000466 to prosecute this application and transact all business in the Patent and Trademark Office connected therewith, including: **Robert J. PATCH, Reg. No. 17,355, Andrew J. PATCH, Reg. No. 32,925, Robert F. HARGEST, Reg. No. 25,590, Benoît CASTEL, Reg. No. 35,041, Eric JENSEN, Reg. No. 37,855, Thomas W. PERKINS, Reg. No. 33,027, and Roland E. LONG, Jr., Reg. No. 41,949,**

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Tuomo PETÄJÄ-SUVANTO
(given name, family name)

Inventor's signature Tuomo Petäjä-Suvanto Date 15 April 2002

Residence: Veteli, Finland FIX Citizenship: Finnish

Post Office Address: Puukorventie 13 A 3, FIN-69700 Veteli, Finland

Full name of second joint inventor, if any:
(given name, family name)

Inventor's signature _____ Date _____

Residence: _____ Citizenship: _____

Post Office Address: _____

Full name of third joint inventor, if any:
(given name, family name)

Inventor's signature _____ Date _____

Residence: _____ Citizenship: _____

Post Office Address: _____